



भारत सरकार / GOVERNMENT OF INDIA

पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING

नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING

टेलीफोन: -22-9125752040/1/2/3

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F. NO.CR/GRW/12/15-I

Dated: 16.01.18

### MERCHANT SHIPPING NOTICE No. 2 of 2018

Sub: Placement of repair technicians (non-seafarers) on foreign flag ships-reg.

Merchant Shipping (Recruitment and Placement of Seafarers) Rules 2016 has been notified on 15.02.16 to regulate the issue of licenses to recruitment and placement services

2. The Directorate General of Shipping has also issued Merchant Shipping Notice No. 7 of 2017 dated 11.08.17 launching e-migrate system for seafarers joining vessels abroad.

3. The Directorate has received representations from non-RPSL companies/proprietor stating that the persons placed on board foreign flag vessels by them are technician, surveyor, and ship security staff and are not the regular crew of the ships and may be referred as non-seafarers. These persons are the regular employees of the said companies ashore and their labour and social standards are governed by the applicable laws for shore workers i.e. Provident Fund, Minimum wages etc. The duration of placement of such persons on board foreign flag ships is less than 6 months in a year. The said companies mentioned that since launch of e-migrate system for seafarers, the immigration authorities are not allowing said persons without filling their data in the e-migrate system, however they don't have any access in the said system being non-RPSL and job opportunity for such persons on foreign flag ships may be lost.

These companies/proprietors are facing difficulties for placing persons on board foreign flag ships after the launch of e-migrate system since they are neither ship-owner nor registered RPSL and do not have the access in the said system. These companies have requested to facilitate these persons under the e-migrate system.

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4. Accordingly the issue was discussed and deliberated in a meeting held on 07.12.17 in the Directorate with the said companies/proprietors.

5. It was deliberated that these sailing repair personnel (repair technicians) are qualified technicians, surveyors, and ship's security staff who are placed aboard for a non-regular specific ship repair work. They do not form part of any CBA. These are persons who principally work ashore but who occasionally spent a short period working on ship and their work does not replace the routine work of the seafarers on board a ship. The duration of stay on board of such persons concerned usually less than six months in a year. The location of the person's principal place of work is ashore. These persons are placed on board to complete specialized jobs of ship repair and up-gradation of vessel. The said companies/proprietors ensure protection of the labour and social standards applicable for them.

5. In the light of the foregoing and to protect the job of these persons on board foreign flag the Director General of Shipping and the Special Secretary to the Govt. of India, is pleased to facilitate these persons under the e-migrate system by providing the access to the said companies/proprietors in to the said e-migrate system subject to the following conditions:

- (i) The Company/partnership firm/proprietor supplying such persons should have registered in India vig. RoC/Ministry of Overseas Affairs.
- (ii) The Company/partnership firm/proprietor shall ensure that they have the contract /work order in place with the employer/ship owner of foreign flag ship for engaging and placing such persons on board;
- (iii) The Company/partnership firm/proprietor shall ensure that the labour and social standards applicable for such persons ashore are protected, including appropriate insurance cover.
- (iv) The Company/partnership firm/proprietor shall furnish financial security in the form of a bank guarantee for meeting the repatriation cost of such person placed on board ship in the event of being stranded and not supported by such shipowner/ company/partnership firm/proprietor. The quantum of such bank guarantee shall be as per the table appended with this notice.
- (v) The duration of stay on board of a person concerned is not exceeding 180 days in a year.
- (vi) Such persons shall not be entitled for their sea service to be counted for the purpose of CoC/CDC as otherwise applicable to the seafarers constituting the regular crew of the ship.





- (vii) The Company/partnership firm/proprietor shall ensure that the living and working facilities provided to these persons on board will not be at the cost of the facilities being provided to the regular officers and crew of the vessel.
  - (viii) The data of their placement on board shall be submitted by The Company/partnership firm/proprietor in the e-migrate system, using the Passport No. of the person, facility of which has been provided in the said e-migrate system.
  - (ix) The Company/partnership firm/proprietor shall furnish copy of the contract/work order, copy of the registration in India, financial security and undertaking on point (i) to (viii) above to jurisdictional Director Seamen's Employment Office (DSEO).
6. The jurisdictional DSEO shall examine the issue and convey to e-governance Branch of DGS for providing access to such company/partnership firm/proprietor meeting the said conditions, in the e-migrate system.
7. The e-governance Branch shall then provide the user id and password to such company/partnership firm/proprietor for filling the data of these technicians, surveyors, and ship security staff into the e-migrate system.
8. The data of their placement on board shall be submitted by the said company/partnership firm/proprietor in the e-migrate system, using the Passport No. of the person, facility of which has been provided in the said system.

(Subhash Barguzer)

Deputy Director General of Shipping (Crew)

Copy to:

1. INSA/MASSA/FOSMA/ICCSA/MUI/NUSI/IMF,
2. MMD Mumbai/Kolkata/Chennai/Cochin/Kandla,
3. Govt. Shipping Office Mumbai/Kolkata/Chennai,
4. Director Seamen's Employment Office Mumbai/Kolkata/Chennai,
5. E-Governance Branch for placing in the DGS website.

Table for Bank Guarantee

Serial number	Number of non-seafarers placed on foreign flag ships.	Amount of Bank Guarantee in Indian rupees.
1.	Up to 50	10 lakhs
2.	51-250	15 lakhs
3.	251-500	20 lakhs
4.	501-750	25 lakhs
5.	751-1000	30 lakhs
6.	1001 and above	40 lakhs

